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I hereby certify that this correspondence is being deposited with the United States Postal Service, utilizing the "Express Mail Post Office to Addressee" service addressed to **Assistant Commissioner for Patents, Washington, DC 20231** and mailed on the above Date of Mailing with the above "Express Mail" mailing label number.

Tracy L. Morton (Signature)  
Tracy L. Morton  
Signature Date: November 22, 1999

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application	)	<u>PATENT APPLICATION</u>
	)	
Inventor(s): Angelica Williams et al.	)	Art Unit:
	)	
SC/Serial No.: 09/410,462	)	Examiner:
	)	
Filed: 10/01/99	)	
	)	
Title: A Single Agent Method for Killing	)	
Tumor and Tumor Associated	)	
Endothelial Cells Using Adenoviral	)	
Mutants	)	
	)	

RESPONSE TO NOTICE TO FILE MISSING PARTS

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

In response to the Notice to File Missing Parts of Application --Filing Date Granted, dated November 1, 1999, enclosed are the following documents in connection with the above-identified application:

[X] Copy of Notice to File Missing Parts -- Filing Date Granted.

☒ Declaration for Patent Application and Power of Attorney.

☒ Assignment and Assignment Recordation Form Cover Sheet.

Total Fee

The total fee associated with this communication has been calculated as shown below:

<input type="checkbox"/>	Patent application filing fee	\$
<input type="checkbox"/>	Net fee for extension of time	\$
<input checked="" type="checkbox"/>	Assignment recording fee (\$40.00)	\$120.00
<input checked="" type="checkbox"/>	Surcharge under 37 C.F.R. § 1.16(e) for late filing of oath or declaration:	
<input type="checkbox"/>	Small Entity	\$ 65.00
<input checked="" type="checkbox"/>	Large Entity	130.00

TOTAL FEE DUE:	<u>\$250.00</u>
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Method of Payment of Fees

☐ A check in the amount of the TOTAL FEE DUE is enclosed.

☒ The Commissioner is hereby authorized any fees associated with this communication to Deposit Account No. 15-0615. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

Dated: November 22, 1999

By: 

Gregory Giotta  
Reg. No. 32,028

ONYX Pharmaceuticals, Inc.  
3031 Research Drive  
Richmond, California 94806  
Telephone (510) 222-9700



## UNITED STATES DEPARTMENT OF COMMERCE

## Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

#3

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/410,462 10/01/99 WILLIAMS

A

0242/1101

GREGORY GIOTTA PH.D.  
VICE PRESIDENT AND CHIEF LEGAL COUNSEL  
ONYX PHARMACEUTICALS INC  
3031 RESEARCH DRIVE  
RICHMOND CA 94806

NOT ASSIGNED

1634

DATE MAILED:

11/01/99

## NOTICE TO FILE MISSING PARTS OF APPLICATION

## Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 130.00.

- ☐ 1. The statutory basic filing fee is:

- ☐ missing.  
☐ insufficient.

Applicant must submit \$\_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. The following additional claims fees are due:

\$\_\_\_\_\_ for \_\_\_\_\_ total claims over 20.

\$\_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$\_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:

- ☒ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.211(m)).

- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

- ☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice **MUST** be returned with the reply.

*Paul Snyder*

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